

IN THE CLAIMS:

Please amend the claims as follows:

she 21. (Amended) A bioresorbable injectable implant for human administration consisting of:
DZ bioresorbable microspheres or microparticles in suspension in gel,
said microspheres or microparticles consisting of at least one polymer chosen from the group consisting of lactic acid polymers, glycolic acid polymers, and lactic acid-glycolic acid co-polymers.

REMARKS

Claims 21-36 are pending in the application. Each of the pending claims defines an invention that is novel and unobvious over the cited art. Favorable consideration of this case is respectfully requested.

Claims 21-36 were rejected under 35 U.S.C § 103(a) as allegedly being obvious over Beisang in view of Scopelianos and for various of the claims, further in view of either Tom, Perraud, Ron, Ersek, or Wallace.

The Examiner cites Beisang for teaching an injectable implant for human administration consisting of microparticles in a hydrogel. The Examiner notes that Beisang does not teach the properties of the microparticles. The two Aesthetic Plastic Surgery publications by Beisang and Ersek referencing microparticles and U.S. Patent 5,258,028, to Ersek and Beisang, disclosing and claiming said microparticles will be discussed as a group. Beisang et al. disclose the Bioplastique™ microparticles to be permanent, and not bioresorbable. (Page 83). In fact, to the question "what constitutes an ideal soft tissue augmentation/replacement system ?" the authors cites "2. Permanent" as one of the desirable properties. (Page 59). On the contrary, as is clearly stated in the